



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

March 22, 2012

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

**CERTIFIED MAIL**

Mr. Larry Bright  
U.S. Fish and Wildlife Service  
4401 N. Fairfax Drive, Room 840  
Arlington, VA 22203

Dear Mr. Bright:

The Environmental Protection Agency is working to review the registrations of all current-use pesticides on a 15-year cycle under the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). As part of our registration review program, EPA has committed to complying with the Endangered Species Act (ESA), which is administered by the US Fish and Wildlife Service (Dept. of Interior) and the National Marine Fisheries Service (Dept. of Commerce).

Your agency, as a federal land trustee, also has responsibilities under ESA. Any proposed federal action that "may affect" species listed as threatened or endangered under ESA is subject to consultation under section 7 of ESA. Moreover, the National Environmental Policy Act (NEPA) requires federal agencies to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS) to consider the adverse environmental impacts of their proposed actions, including impacts to those to ESA-listed species.

Federal Agency-funded projects that approve or propose use of FIFRA-registered pesticides on federally-administered land comprise part of the "federal action" as defined under ESA and NEPA. Federal lands where pesticide use is authorized comprise part of the "action area" as defined in ESA.

We are contacting you to obtain information on actions approved or proposed by your agency regarding use of registered pesticides on federal land. Information being requested would include an Agency- or program-level CATEXs, EAs, EISs or other documents concerning federal actions of national, regional, or local scope and list the pesticides used or allowed to be used on federal land. In the absence of such material, we request any current documents that provide the same level of information. This information will allow EPA to define pesticides authorized for use on various federal lands, which therefore "may affect" ESA-listed species on those lands, and which would therefore require joint action under FIFRA and ESA.

We believe that documents generated under your NEPA obligations may provide a catalog of proposed pesticide uses to help EPA better and more narrowly define the federal action under ESA, both for the federal land in question, and for the pesticide under review.

EPA is requesting that the U.S. Fish and Wildlife Service provide copies or a list of these documents related to authorization of pesticide use on lands under your jurisdiction to help us meet our joint obligations under ESA. Please send the information requested at your earliest convenience to William Eckel at the Office of Pesticide Programs. He can be reached by email at [eckel.william@epa.gov](mailto:eckel.william@epa.gov) or by telephone at (703) 305-6451.

Thank you for your prompt attention to this matter. We would like to receive your response by May 1, 2012 if possible. Do not hesitate to contact Bill if you have any questions about this request.

Sincerely,

A handwritten signature in blue ink that reads "R McNally". The signature is stylized with a large, cursive "R" and "M".

Robert McNally  
Director  
Field and External Affairs Division

cc: Paul Souza, USFWS  
Helen Golde, NOAA Fisheries Service  
Donald Brady, EPA  
Richard Keigwin, EPA



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David Sire  
U.S. Department of the Interior  
Natural Resources Management Team  
Office of Environmental Policy and Compliance  
1849 C Street, NW, MS 2462  
Washington, D C 20250

Dear Mr. Sire:

The Environmental Protection Agency is working to review the registrations of all current-use pesticides on a 15-year cycle under the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). As part of our registration review program, EPA has committed to complying with the Endangered Species Act (ESA), which is administered by the US Fish and Wildlife Service (Dept. of Interior) and the National Marine Fisheries Service (Dept. of Commerce).

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We believe that documents generated under your NEPA obligations may provide a catalog of proposed pesticide uses to help EPA better and more narrowly define the federal action under ESA, both for the federal land in question, and for the pesticide under review.

EPA is requesting that the U.S. Department of the Interior provide copies or a list of these documents related to authorization of pesticide use on lands under your jurisdiction to help us meet our joint obligations under ESA. Please send the information requested at your earliest convenience to William Eckel at the Office of Pesticide Programs. He can be reached by email at [eckel.william@epa.gov](mailto:eckel.william@epa.gov) or by telephone at (703) 305-6451.

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Sincerely,

A handwritten signature in blue ink that reads "R McNally". The signature is fluid and cursive, with the first name "R" being a simple capital letter and "McNally" written in a more elaborate, flowing script.

Robert McNally  
Director  
Field and External Affairs Division

cc: Paul Souza, USFWS  
Helen Golde, NOAA Fisheries Service  
Donald Brady, EPA  
Richard Keigwin, EPA